

RESOLUTION NO. 75031

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE AMENDED AND RESTATED AGREEMENT WITH HISTORY SAN JOSE FOR THE OPERATION OF CITY-OWNED HISTORICAL FACILITIES, THE HISTORICAL MUSEUM LOCATED AT KELLEY PARK AND THE FALLON HOUSE AND THE PERALTA ADOBE

WHEREAS, on April 30, 1998, the City of San José ("City") and History San José (formerly The History Museums of San José ("HSJ") entered into an agreement for the operation of City-owned historical facilities: the Historical Museum located at Kelley Park and the Fallon House and the Peralta Adobe, collectively referred to as the "Museum," which agreement has since been amended seven times ("Agreement"); and

WHEREAS, City and HSJ desire to enter into an Amended and Restated Agreement to incorporate a schedule and funding plan to increase the ongoing operating payment to \$875,000 per year for the remaining years of its Agreement with the City through fiscal year 2017-18, subject to appropriation of funds, and to include key revisions aimed at ensuring that HSJ meet performance standards, improve its long-term financial position, and provide financial reports to the City and the public; and

WHEREAS, the City desires to negotiate and execute an Amended and Restated Agreement with HSJ in accordance with the terms as specified in the Director of General Services' memoranda to the City Council dated June 5 and June 19, 2009;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Manager is hereby authorized to negotiate and execute an Amended and Restated Agreement with History San José for the operation of City-owned historical facilities at the Historical Museum located at Kelley Park and the Fallon House and the Peralta Adobe, which includes a schedule and funding plan to increase the ongoing operating payment to \$875,000 per year for the remaining years of its Agreement with the City through fiscal year 2017-18, subject to appropriation of funds, and in accordance with the terms as specified in the Director of General Services' memoranda to the City Council dated June 5 and June 19, 2009.

ADOPTED this 23rd day of June, 2009, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk